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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/887,982 | 06/22/2001 | Babak Rezvani | CT-006 | 8195 |

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FISH & NEAVE IP GROUP
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NEW YORK, NY 10036-8704

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| EXAMINER |
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NGUYEN, THU HA T

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| ART UNIT | PAPER NUMBER |
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2155

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07/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------|----------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/887,982 | REZVANI ET AL. | |
| | Examiner | Art Unit | |
| | Thu Ha T. Nguyen | 2155 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 61-63, 65-70, 72-77 and 79-81 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 61-63, 65-70, 72-77 and 79-81 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims **61-63, 65-70, 72-77, and 79-81** are presented for examination.
2. Claims 61, 65, 68, 72, 75 and 79 are currently amended.
3. Claims 64, 71, and 78 are cancelled without prejudice.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/18/07 has been entered.

Claim Objections

5. Claims 65, 72 and 79 are objected to because of the following informalities: Claims 65, 72 and 79 are depend on the cancelled claims. Appropriate correction is required.

Response to Arguments

6. Applicant's arguments filed 06/18/07 have been fully considered but they are not persuasive because of the following reason:

7. Applicant argues that Humpleman does not teach or suggest selecting a template document from a plurality of template documents based on the remote user

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access device type. In response to applicant's argument, the examiner submits that Humpleman does teach the feature of selecting a template document from a plurality of template documents based on the remote user access device type as shown in figures 6-8, col. 7, line 4-col. 10, line 59, col. 13, line 15-51.

8. As a result, cited prior art does disclose a system and method for generating a virtual representation of a device using a template document, as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

9. Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 61, 68 and 75. Claims 62-63, 65-67, 69-70, 72-74, 76-77, and 79-81 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in this office action. Accordingly, claims 61-63, 65-70, 72-77, and 79-81 are rejected as below.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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11. Claims 1-60 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Humpleman et al.** (hereinafter Humpleman) U.S. Patent No. **6,288,716**.

12. As to claim 61, **Humpleman** teaches the invention as claimed, including a method for generating a virtual representation of one of a plurality of devices for a remote user access device using a template document comprising:

associating each of the plurality of devices with respective display components (col. 7, line 26-col. 8, line 54, col. 9, line 17-col. 10, line 59);

selecting a template document from a plurality of template documents based on the remote user access device type (figures 6-8, col. 7, line 4-col. 10, line 59, col. 13, line 15-51), wherein each of the template documents:

comprises a layout specifying an arrangement of display components, and supports the plurality of devices (figures 6-8, 10-11, col. 7, line 4-67, col. 9, line 30-col. 10, line 59 –*template document comprises icon image file layout*);

retrieving a display component for the device (col. 7, line 4-67);

inserting the display component into the template document (figures 6-8, col. 7, lines 4-67, col. 9, col. 10, lines 26-58, col. 13, lines 26-51); and

generating the virtual representation for the device using the template document (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59, col. 13, lines 15-51, col. 14, lines 26-41, col. 15, lines 23-63).

13. As to claim 62, **Humpleman** teaches the invention as claimed in claim 1, wherein the template document is retrieved from a remote database (figure 4, col. 11, line 60-col. 12, line 22).

14. As to claim 63, **Humpleman** teaches the invention as claimed in claim 61 wherein the template document is retrieved from the device (col. 7, lines 4-67, col. 14, lines 42-62, col. 15, line 49-col. 16, line 19).

15. As to claim 65, **Humpleman** teaches the invention as claimed in claim 64 wherein the template document is further selected based on display language (col. 8, lines 55-67, col. 9, lines 30-45).

16. As to claim 66, **Humpleman** teaches the invention as claimed in claim 61 wherein the at least one display component corresponds to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

17. As to claim 67, **Humpleman** teaches the invention as claimed in claim 61 wherein the at least one display component does not correspond to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

18. As to claim 68, **Humpleman** teaches the invention as claimed, including a system for generating a virtual representation of one of a plurality of devices for a remote user access device using a template document comprising:

means for associating each of the plurality of device with respective display components (col. 7, line 26-col. 8, line 54, col. 9, line 17-col. 10, line 59);

means for selecting a template document from a plurality for template documents based on the remote user access device type (figures 6-8, col. 7, line 4-col. 10, line 59, col. 13, line 15-51), wherein each of the template documents:

comprises a layout specifying an arrangement of display components, and supports the plurality of devices (figures 6-8, 10-11, col. 7, line 4-67, col. 9, line 30-col. 10, line 59 –*template document comprises icon image file layout*);

means for retrieving a display component for the device (col. 7, line 4-67);

means for inserting the display component into the template document (figures 6-8, col. 7, lines 4-67, col. 9, col. 10, lines 26-58, col. 13, lines 26-51); and

means for generating the virtual representation for the device using the template document (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59, col. 13, lines 15-51, col. 14, lines 26-41, col. 15, lines 23-63).

19. As to claim 69, **Humpleman** teaches the invention as claimed in claim 68 wherein the template document is retrieved from a remote database (figure 4, col. 11, line 60-col. 12, line 22).

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20. As to claim 70, **Humpleman** teaches the invention as claimed in claim 68 wherein the template document is retrieved from the device (col. 7, lines 4-67, col. 14, lines 42-62, col. 15, line 49-col. 16, line 19).

21. As to claim 72, **Humpleman** teaches the invention as claimed in claim 71 wherein the template document is further selected based on display language (col. 8, lines 55-67, col. 9, lines 30-45).

22. As to claim 73, **Humpleman** teaches the invention as claimed in claim 68 wherein the at least one display component corresponds to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

23. As to claim 74, **Humpleman** teaches the invention as claimed in claim 68 wherein the at least one display component does not correspond to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

24. As to claim 75, **Humpleman** teaches the invention as claimed, including a system for generating a virtual representation of one of a plurality of devices for a remote user access device using a template document comprising:

a processor programmed to: associate each of the plurality of devices with respective display components (col. 7, line 26-col. 8, line 54, col. 9, line 17-col. 10, line 59);

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select a template document from a plurality of template documents based on the remote user access device type (figures 6-8, col. 7, line 4-col. 10, line 59, col. 13, line 15-51), wherein each of the template documents:

comprises a layout specifying an arrangement of display components, and supports the plurality of devices (figures 6-8, 10-11, col. 7, line 4-67, col. 9, line 30-col. 10, line 59 –*template document comprises icon image file layout*);

retrieve a display component for the device (col. 7, line 4-67);

insert the display component into the template document (figures 6-8, col. 7, lines 4-67, col. 9, col. 10, lines 26-58, col. 13, lines 26-51); and

generate the virtual representation for the device using the template document (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59, col. 13, lines 15-51, col. 14, lines 26-41, col. 15, lines 23-63).

25. As to claim 76, **Humpleman** teaches the invention as claimed in claim 75, wherein the template document is retrieved from a remote from a remote database (figure 4, col. 11, line 60-col. 12, line 22).

26. As to claim 77, **Humpleman** teaches the invention as claimed in claim 75, wherein the template document is retrieved from the device (col. 7, lines 4-67, col. 14, lines 42-62, col. 15, line 49-col. 16, line 19).

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27. As to claim 79, **Humpleman** teaches the invention as claimed in claim 78, wherein the template document is selected based on display language (col. 8, lines 55-67, col. 9, lines 30-45).

28. As to claim 80, **Humpleman** teaches the invention as claimed in claim 75, wherein the at least one display component corresponds to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

29. As to claim 81, **Humpleman** teaches the invention as claimed in claim 75, wherein the at least one display component does not correspond to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

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The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


THU HA NGUYEN
PRIMARY EXAMINER

July 21, 2007